

11/08/01
JCS25 U.S. PTO

12-10-01

A

PATENT APPLICATION

Docket No:19036/34546A

00X50

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

CONTINUING APPLICATION TRANSMITTAL UNDER 37 CFR 1.53(b)

Box Patent Application
Commissioner for Patents
Washington, D.C. 20231

J1050 U.S. PTO
10/007408
11/08/01

Sir:

This is a request under 37 CFR 1.53 for filing a


- ☐ continuation application.
☒ divisional application.

1. Particulars of Prior Application

Application Serial No: 09/029,156
Filed on: August 3, 1998
Title: Recombinant Conglutinin and Producing Method
Thereof
Art Unit: 1647
Examiner: Landsman, R.
Prior Docket No.: 19036/34546

CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that this Continuing Application Transmittal Under 37 CFR 1.53(b) and the documents referred to as enclosed therewith are being deposited with the United States Postal Service on **November 8, 2001**, in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231 utilizing the "Express Mail Post Office to Addressee" service of the United States Postal Service under Mailing Label No. EK657816384US.


Richard K. Zimmermann

2. This request is filed by:

1. Full Name of Inventor	Family Name Wakamiya	First Given Name Nobutaka	Second Given Name n/a
Residence & Citizenship	City 9-20, Oike 1-Chome Ibaraki-shi, Osaka T567	State or Foreign Country JAPAN	Country of Citizenship JAPAN
Post Office Address	Post Office Address Same	City Same	State & Zip Code/Country Same

3. Amendments

- ☒ A Preliminary Amendment is enclosed.
- ☒ The filing fee is based upon entry of the foregoing amendment(s) (if any).

4. Copy of Prior Application

The enclosed is a copy of the prior complete application, including the specification (with claims), drawings, the oath or declaration, and any amendments referred to in the oath or declaration filed to complete the prior application.

5. Incorporation By Reference

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under paragraph 4, above, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

6. Priority

- ☒ Priority of application No. Hei 7-209698, filed on 17 August 1995 in Japan is claimed under 35 USC 119.
- ☒ The certified copy(ies) was(were) filed in prior U.S. application Serial No. 09/029,156 pursuant to PCT Rule 17.2.
- ☐ The certified copy(ies) has(have) not been filed.

7. **Assignment**

- ☒ The prior application is assigned of record to Fuso Pharmaceutical Industries, Ltd., and has been recorded at Reel No. 9582, Frame No. 0630.

8. **Small Entity Status**

- ☐ Applicant claims small entity status. See 37 CFR 1.27.

☐ A small entity statement is(are) attached.

9. **Application to Be Published**

- ☒ Yes.
- ☐ No. A Request and Certification Under 35 U.S.C. §1.22(b)(2)(B)(i) is attached.

10. **Fee Calculation**

CLAIMS AS FILED - INCLUDING PRELIMINARY AMENDMENT (IF ANY)						
			SMALL ENTITY		OTHER THAN A SMALL ENTITY	
	NO. FILED	NO. EXTRA	RATE	FEE	RATE	FEE
BASIC FEE				\$370.00		\$740.00
TOTAL	2 -20	0	X 9 =	\$0.00	X 18 =	\$0.00
INDEP.	2 - 3	0	X 42 =	\$0.00	X 84 =	\$0.00
<input type="checkbox"/> First Presentation of Multiple Dependent Claim			+ 140 =	\$00.00	+ 280 =	\$00.00
Filing Fee:				\$00.00	OR	\$740.00

11. **Method of Payment of Fees**

- ☒ Attached is a check in the amount of: \$740.00
- ☐ Charge Deposit Account No. 13-2855 in the amount of: \$ _____
A copy of this Transmittal is enclosed.

12. Deposit Account and Refund Authorization

The Commissioner is hereby authorized to charge any deficiency in the amount enclosed or any additional fees which may be required during the pendency of this application under 37 CFR 1.16 or 37 CFR 1.17 to Deposit Account No. 13-2855. A copy of this Transmittal is enclosed.

Please refund any overpayment to Marshall, Gerstein & Borun at the address below.

13. Correspondence Address

Customer No.: 04743

Respectfully submitted,

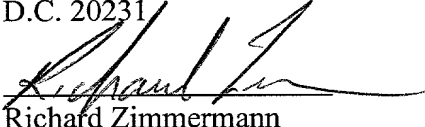
MARSHALL, GERSTEIN & BORUN
6300 Sears Tower
233 South Wacker Drive
Chicago, Illinois 60606-6357
(312) 474-6300
(312) 474-0448 (Telefacsimile)

By: _____

David A. Gass
David A. Gass
Reg. No: 38,153

November 8, 2001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Wakamiya, N.) CERTIFICATE OF MAILING BY
Serial No.: To Be Determined) EXPRESS MAIL
Filed: Herewith) "EXPRESS MAIL" mailing label
) No. EK657816384US
) Date of Deposit: November 8, 2001
)
Title: "Recombinant Conglutinin and) I hereby certify that this paper and the
Producing Method Thereof") documents referred to herein as enclosed
) herewith are being deposited with the
) United States Postal Service "EXPRESS
Expected Group Art Unit: 1647) MAIL POST OFFICE TO
) ADDRESSEE" service under 37 C.F.R.
Expected Examiner: R. Landsman) §1.10 on the date indicated above and
) are addressed to Box PCT, Assistant
) Commissioner for Patents, Washington,
) D.C. 20231
)
) 
) Richard Zimmermann

STATEMENT PURSUANT TO 37 C.F.R. §1.821(f)

BOX PCT
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:


I hereby state that the disclosures of the paper and computer readable forms of the substitute Sequence Listing submitted herewith in accordance with 37 C.F.R. §1.821(c) and (e) are the same and do not introduce new matter into the disclosure of the application.

Respectfully submitted,

MARSHALL, GERSTEIN & BORUN

November 8, 2001

By


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